

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- October 10, 1972

The meeting of the Commission was called to order at 7:00 p.m. in the Council Room, Municipal Building.

Present

William Milstead, Chairman
Sonia Ashworth
Charles Betts
C. W. Hetherly
Jean Mather
Buford Stewart

Absent

David Barrow, Jr.
Bob Bobbitt
Royce Faulkner

Also Present

Jack Alexander, Assistant Director of Planning
Walter Foxworth, Supervising Planner
Andrea Winchester, Secretary II

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of October 2 and 3, 1972.

Present

C. W. Hetherly, Chairman
Sonia Ashworth
David Barrow, Jr.
Charles Betts
Royce Faulkner

Also Present

Jack Alexander, Assistant Director of Planning
Al Baker, Zoning Administrator
*Brian Schuller, Planner
Gerardette McFadden, Stenographer

*Present only on October 3, 1972.

C14-72-145 Fred C. Morse: Int. A, Int. 1st to GR (Tract 1) and BB (Tract 2)(as amended)
6902-6926 Ed Bluestein Boulevard (U.S. Highway 183)

STAFF REPORT: This is the third consecutive month that this case has appeared before the Planning Commission. This 24.34 acre tract has a 600-foot frontage on Ed Bluestein Boulevard and is 2,000 feet in depth. On Tract 1, the applicant is requesting "GR" General Retail to a depth of 600 feet for a total of 8.25 acres. The Planning Commission has recommended that 500 feet of general retail zoning be granted. For Tract 2, there is a request for "BB" Residence for approximately 1,800 feet east of Tract 1. This area consists of 16.09 acres and would allow the development of approximately 322 apartments. The overall area east of Ed Bluestein Boulevard is basically zoned Interim "A" Residence and designed for single-family/duplex development in deference to the school site north of Purple Sage Drive, which is planned to serve this area. The staff recommends that this case be continued to the full Commission as requested by the applicant.

TESTIMONY

WRITTEN COMMENT

Watt Schieffer: 1011 East 40th Street

FOR

PERSONS APPEARING

Richard C. Baker (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and the majority concluded that this request should be continued to the full Commission as the applicant requested.

AYE: Messrs Hetherly, Betts and Faulkner. Mrs. Ashworth
 NAY: Mrs. Barrow

At the Planning Commission meeting the staff reported that a revised recommendation had been drawn up which may not be completely acceptable to the applicant, but is an attempt to resolve some of the questions raised at the previous hearing. It is recommended that this case be denied, but that "GR" General Retail zoning be granted on the front 500 feet subject to a 6-foot privacy fence along the east property line; "BB" Residence, First Height and Area be granted from the eastern boundary of the "GR" General Retail to the proposed extension of Lazy Creek Drive through this property and "BB" Residence, First Height and Area with a limitation of density to ten units per acre be granted on the remainder of the property with a six foot privacy fence where adjoining "A" Residence property, a subdivision providing for the extension of Lazy Creek Drive, a 70-foot east-west street from Lazy Creek Drive to Ed Bluestein Boulevard and the proper termination of Durango Pass.

Mr. Robert Davis, representing the applicant, stated that at this time he could not accept what the Planning Department has recommended but it would be something to work from since the owner is not sure how the land will be developed. A conceptual plan was presented by the representatives of the applicant which showed one way in which the land could be used with the departmental requirements as set forth earlier.

No one appeared in opposition to the request.

C14-72-145 Fred C. Morse--Contd.

COMMENTS AND ACTION BY THE COMMISSION

Members of the Commission stated that the staff recommendation and the site plan answer some of the questions that arose at the Committee meeting. Mrs. Ashworth pointed out that the limitation on the back portion of the tract results in the maximum density allowed by a Planned Unit Development and she suggested that the applicant come in with a PUD on this tract. The Commission reviewed the information and a vote to recommend granting the staff recommendation resulted in the following

AYE: Messrs. Betts, Hetherly and Stewart
 NAY: Mr. Milstead. Mmes Ashworth and Mather
 ABSENT: Messrs. Barrow, Bobbitt and Faulkner

The Commission then

VOTED: To recommend that the request of Fred C. Morse for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area (Tract 1) and "BB" Residence, First Height and Area (Tract 2) as amended for property located at 6902-6926 Ed Bluestein Boulevard be DENIED, but that "GR" General Retail, First Height and Area be granted on the front 500 feet, subject to a 6-foot privacy fence along the east property line; "BB" Residence, First Height and Area be granted from the eastern boundary of the "GR" General Retail to the proposed extension of Lazy Creek Drive through this property, subject to a 6-foot fence where adjoining "A" Residence property, a subdivision providing for the extension of Lazy Creek Drive, a 70-foot east-west street from Lazy Creek Drive to Ed Bluestein Boulevard and the proper termination of Durango Pass and that the remainder of the property be zoned "A" Residence, First Height and Area.

AYE: Messrs. Milstead and Hetherly. Mmes Ashworth and Mather
 NAY: Messrs. Betts and Stewart
 ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-209 Carl M. Bailey: A to B
 1108-1110 Stobaugh Street

STAFF REPORT: This property totaling 19,844 square feet is located on a minor residential street with 50 feet of right-of-way and only 30 feet of surfaced width. Subject tract falls within an "A" Residence area of modest but generally well-maintained single-family homes. Anderson Lane to the north is zoned primarily "GR" General Retail. Last month the Planning Commission recommended denial of any rezoning for two tracts on the north side of Stobaugh Street, east of Watson Street. This month's case is farther into the core of this residential area. The staff recommends that this case be denied. Any change in zoning would be an intrusion into an "A" Residence neighborhood interlaced with narrow residential streets which are incapable of servicing more intense zoning. Subject tract is large enough for duplex development.

C14-72-209 Carl M. Bailey--Contd.

TESTIMONY

WRITTEN COMMENT

Leroy Lange
John C. Alexander: 1204 Stobaugh Street
Resident: 5417 Shoalwood Avenue

FOR
FOR
AGAINST

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied as an intrusion into an "A" Residence area.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Carl M. Bailey for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 1108-1110 Stobaugh Street be DENIED.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-210 Arthur E. Pihlgren, et al: A to GR
10,000 Block of North Lamar Boulevard

STAFF REPORT: This property totaling 12.682 acres is located in the 10,000 block of North Lamar on the west side of this major arterial. Subject tract has very recently been annexed with land to the north and east outside the City limits. "BB" Residence zoning under development at this time adjoins to the west; "GR" General Retail zoning to the immediate south is oriented to the intersection of Rutland Drive and North Lamar Boulevard. A preliminary has been submitted for Phase IV of Quail Creek. This plan calls for Ken Street to be the primary south boundary line although the westernmost portion extends farther southward. The staff recommends that this case be denied, but recommends that "LR" Local Retail be granted, subject to a subdivision and one-half the right-of-way to bring North Lamar Boulevard to 120 feet. "GR" General Retail zoning is not favorable on this site as it is not at an intersection and would be incompatible with the existing and planned residential development to the west and northwest. Under an approved special permit with local retail zoning, general retail uses would be permitted on this tract.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Arthur E. Pihlgren (applicant)

C14-72-210 Arthur E. Pihlgren, et al--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that, due to the surrounding zoning and the location of the property on a major street, this request should be granted as the highest and best use, subject to subdivision and one-half the right-of-way needed to bring North Lamar Boulevard to 120 feet but not to exceed 15 feet.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Arthur E. Pihlgren, et al for a change of zoning from "A" Residence First Height and Area to "GR" General Retail, First Height and Area for property located in the 10,000 block of North Lamar Boulevard be GRANTED, subject to a subdivision and one-half the right-of-way needed to bring North Lamar Boulevard to 120 feet, but not to exceed fifteen feet.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-212 Patrick H. Downing: O, 2nd to C-2, 2nd
3200-3204 Red River Street
814-818 East 32nd Street

STAFF REPORT: This property totaling 19,320 square feet is located at the northwest corner of East 32nd Street and Red River Street. East 32nd Street is a neighborhood collector with 60 feet of right-of-way. Red River Street is classified as a major arterial planned to go to 70 feet of right-of-way. "A" Residence zoning with single-family dwellings exists to the west along East 32nd Street. The intersection of 32nd and Red River Streets is no longer zoned "A" Residence, the corners being zoned as follows: northeast corner is zoned "C" Commercial and developed with local retail uses; southeast corner is zoned "B" Residence and developed with apartments; southwest corner is zoned "LR" Local Retail, but is developed with apartments; subject tract was zoned "O" Office, Second Height and Area in 1964. Subsequent changes to "O" Office zoning on the south side of 32nd Street, away from the intersection, were recommended for denial by the Commission but approved by the City Council. The Planning Commission recently recommended against "O" Office zoning on a tract one block north of subject tract. The staff recommends that this case be denied. Any further change in zoning would be incompatible with the development in this area, particularly the single-family development to the west. "C-2" Commercial zoning also permits any usage allowed in "C" Commercial zoning.

C14-72-212 Patrick H. Downing--Contd.

TESTIMONY

WRITTEN COMMENT

Granada Investment Corp.: 4210 Red River Street	FOR
N. M. Goodwin: 808 E. 31st Street	AGAINST
Dave H. Novy: Northwood Terrace Apts 907-A, E. 32nd St.	AGAINST
R. N. Hester: 806 E. 32nd Street	AGAINST

PERSONS APPEARING

Doug W. Morris (representing applicant)	
Gordon Griffin, Jr.: 615 Brown Building	FOR
Mr. & Mrs. Magnus Bolander: 3201 Beanna Street	AGAINST
Paul Wendler: 801-803 E. 32nd Street	AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that the requested zoning should be denied as inappropriate due to surrounding zoning, lack of parking facilities and access.

AYE: Messrs Hetherly, Barrow, Betts, and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Patrick H. Downing for a change of zoning from "O" Office, Second Height and Area to "C-2" Commercial, Second Height and Area for property located at 3200-3204 Red River Street and 814-818 East 32nd Street be DENIED.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-213 Weldon T. Wright: B to O
2518-2522 Enfield Road

STAFF REPORT: This property totaling approximately 22,000 square feet is located on a major arterial with 70 feet of right-of-way, which is planned to go to 80 feet. The properties south of Enfield Road near Exposition Boulevard have been in transition to apartment zoning. "B" Residence zoning has not extended to the west side of Exposition Boulevard. Recently the Planning Commission recommended denial for a change from "A" Residence zoning to "B" Residence zoning for the northwest corner of Enfield Road and Exposition Boulevard, less than one-half block from subject tract. This represented the fifth time the Commission recommended denial for rezoning of this tract. The staff recommends that this request be denied. "O" Office zoning in this particular area would be inappropriate as it permits not only the normal professional offices, but also uses such as a barber shop, cosmetologist, art, dance, and photographic studio, and many other uses closely resembling a retail area.

C14-72-213 Weldon T. Wright--Contd.

TESTIMONY

WRITTEN COMMENT

Paul D. Bushong: 2610 Bridle Path

AGAINST

PERSONS APPEARING

Weldon T. Wright (applicant)

Mr. & Mrs. Arthur Anderle: 1408 Norwalk Lane

NO OPINION

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied as inappropriate zoning which would permit an intrusion into this "B" Residence area.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Weldon T. Wright for a zoning change from "B" Residence, First Height and Area to "O" Office, First Height and Area for property located at 2518-2522 Enfield Road be DENIED.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-214 C. K. Jamison: A, 1st to B, 2nd
4308-4310 Avenue F

STAFF REPORT: This property is located on a minor residential street with only 30 feet of surfaced width. The site in question falls in a well-maintained area, within the Hyde Park area, oriented around Shipe Park and the Elizabeth Ney Museum. This neighborhood has suffered very few zoning encroachments within its internal area. Subject tract was the subject of a request for "B" Residence zoning during 1968, at which time the Planning Commission recommended denial. The proposed usage was for a "halfway house" which the Commission considered to be not entirely incompatible with the area, but they felt it would definitely be a bad precedent for subsequent cases. The City Council approved the zoning, subject to a restrictive covenant allowing only a halfway house and subject to a provision for rollback to "A" Residence zoning. This case was dismissed in June 1972 for failure of owner to accept the condition of rezoning. A request for apartment zoning on the southwest corner of Avenue F and 44th Street has been recommended for denial.

The staff recommends that this case be denied. The requested zoning would be an unnecessary intrusion into a well-maintained area. The Commission has already recommended denial for two cases in this same block. The easy availability of multi-family zoning in the area bounded by 34th, 45th, Guadalupe, and Speedway Streets is felt to be more than sufficient to meet the needs

C14-72-214 C. K. Jamison--Contd.

for this general area. The majority of the streets in the area of Avenue F have a surfaced width of only thirty feet, which is sufficient for only single-family and duplex development. There are no plans to widen the streets in this area. The staff feels that this area is deserving of protection from further rezoning and should remain "A" Residence. The housing needs of the North Austin-University community call for more than just multi-family housing. Professors, teachers, young married students, and young couples with children have a need for single-family and duplex housing in the areas which have been established for sometime.

TESTIMONY

WRITTEN COMMENT

Beatrice G. Hunter: 206 E. 43rd Street	FOR
Mrs. Aubrey Mae Wright Miller: 4313 Avenue F	AGAINST
Mrs. P. J. Phillips: 4312 Avenue F	AGAINST
James Clifford: 4308 Avenue F	AGAINST

PERSONS APPEARING

Joe R. Long (representing applicant)	
Mrs. P. J. Phillips: 4312 Avenue F	AGAINST
Emma B. Davis: 4308 Avenue F	AGAINST
Osborne J. Dykes III: 4311 Avenue F	AGAINST
William T. F. Dykes: 4311 Avenue F	AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information. Mr. Betts and Mr. Hetherly stated that the trend in the area is to higher density development. The majority of the Committee concluded that this case should be denied.

AYE: Messrs Barrow and Faulkner. Mrs. Ashworth
 NAY: Messrs Hetherly and Betts

The members of the Commission reviewed the information presented and Mr. Betts stated that this zoning would not set a precedent. Mrs. Ashworth was of the opinion that this tract is located in an area that has been set aside for preservation and this zoning would be an intrusion and set a precedent. The Commission then

VOTED: To recommend that the request of C. K. Jamison for a zoning change from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 4308-4310 Avenue F be DENIED.

AYE: Mr. Milstead. Mmes Ashworth and Mather
 NAY: Messrs. Betts, Hetherly and Stewart
 ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-215 Y. G. Chang: A, 1st to B, 2nd
 3700 Ronson Street
 3701 King Street
 618-622 West 37th Street

STAFF REPORT: This property totaling 8,758 square feet is bounded by West 37th, King, and Ronson Streets which are classified as minor residential streets--King and Ronson Streets have less than 50 feet of right-of-way. Subject tract adjoins "A" Residence zoning and development except to the west and southwest where properties are zoned "LR" Local Retail and "O" Office. The staff recommends that the requested zoning be denied, but recommends that "B" Residence, First Height and Area be granted, subject to 7-1/2 feet of right-of-way on Ronson Street, 5 feet of right-of-way on West 37th Street, and 9 feet of right-of-way on King Street. This area is in transition and "B" Residence, First Height and Area is more appropriate as the area is interlaced with minor residential streets and there is an awkward problem with regard to possible right-of-way on King Street. King Street begins to bottle-neck to 27 feet of right-of-way across the street from subject tract. The net area after dedication of right-of-way would total approximately 6,875 square feet.

TESTIMONY

WRITTEN COMMENT

Forest S. Pearson: P. O. Box 1987	FOR
M. K. Parsons: 9725 North I.H. 35	FOR

PERSONS APPEARING

Joe R. Long (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied, but recommended granting "B" Residence, First Height and Area subject to bringing King, West 37th and Ronson Streets to 50 feet of right-of-way, with the property owner dedicating one-half of whatever is needed to do this.

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Y. G. Chang for a zoning change from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 3700 Ronson Street, 3701 King Street and 618-622 West 37th Street be DENIED, but to GRANT "B" Residence, First Height and Area, subject to bringing King, West 37th and Ronson Streets to fifty feet of right-of-way, with the property owner dedicating one-half of whatever is needed to do this.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-216 Heywood M. Reese: A, 1st and C, 6th to C, 6th
 3801-3807 Wadford Street
 101-129 Krebs Lane
 3812-3826 South Congress Avenue

STAFF REPORT: This property totaling 1.68 acres is bounded by South Congress Avenue, Krebs Lane and Wadford Street. Krebs Lane and Wadford Street are minor residential streets and unsurfaced. Krebs Lane and Wadford Street have only 30 and 40 feet of right-of-way, respectively. The eastern 200 feet of the tract is zoned "C" Commercial, Sixth Height and Area as a result of blanket strip zoning established along South Congress Avenue from 1947-1951. Land to the northwest, west, and south is zoned "A" Residence although sparsely developed. A single-family dwelling to the south adjoins and looks down on the western portion of subject tract. The western half of subject tract is considerably higher in elevation than the portion fronting on South Congress Avenue and will not have access to Congress Avenue. The owner of subject tract sold the southwest corner at Krebs Lane and South Congress Avenue since filing this zoning case and the new owner cannot consider a dedication of right-of-way along Krebs Lane since it would eliminate a number of his required parking spaces. "DL" Light Industrial zoning exists across Krebs Lane from subject tract. Additional right-of-way is not anticipated from this tract as buildings are located within a very few feet of the current right-of-way line. This area has been recommended under the Master Plan for "Commercial Services or Semi-Industrial", subject to resolving right-of-way and other requirements. The staff recommends that this case be denied. The obtaining of right-of-way is so questionable, the staff is unable to recommend a change in zoning.

TESTIMONY

WRITTEN COMMENT

Herbert H. Sladek: 4406 Sinclair Avenue

FOR

PERSONS APPEARING

L. C. Reese (representing applicant)
 Heywood Reese (applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and discussed the parking, access and right-of-way problems. Mr. Betts felt that the Planning staff and the applicant needed time to work out some of the problems. The members concluded that this request should be continued to the full Commission to allow more time for working out right-of-way, parking and access problems.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

At the Planning Commission meeting Mr. Alexander stated that the staff had worked with the applicant and had a new recommendation to submit to the Commission, one which the applicant agreed to. The staff recommends that this request be granted, subject to a subdivision to identify the tract, ten feet of right-of-way on Wadford Street and fifteen feet of right-of-way on Krebs Lane to extend to South Congress Avenue.

C14-72-216 Heywood M. Reese--Contd.

Mr. L. C. Reese, representing the applicant, stated that he is willing to give the fifteen feet along Krebs Lane and the required right-of-way along Wadford Street as well as provide a subdivision.

There was no opposition to the request.

The Commission reviewed the information and

VOTED: To recommend that the request of Heywood M. Reese for a change of zoning from "A" Residence, First Height and Area and "C" Commercial, Sixth Height and Area to "C" Commercial, Sixth Height and Area for property located at 3801-3807 Wadford Street, 101-129 Krebs Lane and 3812-3826 South Congress Avenue be GRANTED, subject to a subdivision identifying the tract, ten feet of right-of-way on Wadford Street and fifteen feet of right-of-way on Krebs Lane to extend to South Congress Avenue.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-217 Eddie Dill: A to O
3710 Manchaca Road
3712-3800 Manchaca Road (rear)
3711-3803 Keats Drive

STAFF REPORT: This property totaling 3.17 acres is located between Keats Drive, a minor residential street, and Manchaca Road, a major arterial. The property along Manchaca Road is in transition to "O" Office zoning and apartment development as noted by two apartment dwelling groups under construction. The staff and the Planning Commission have been recommending "O" Office in this area. In this case we are reviewing a tract which has only 25 feet of frontage on Manchaca Road relative to its 3.17 acres and would depend on Keats Drive for access. Keats Drive services the single-family area to the south. The staff has discarded the attempt to develop Panther Trail to Manchaca Road due to the development of apartments on part of the area proposed as right-of-way. However, there is a need to terminate Byron Drive in the form of a loop street feeding into Keats Drive to provide circulation for the existing development. The staff recommends that this case be denied. Subject tract has inadequate frontage on the major arterial street and, as such, would be oriented to the single-family/school area to the west along Keats Drive. "O" Office zoning could be recommended if the subject tract had better frontage on Manchaca Road; if it did not extend to Keats Drive; and if proper termination of Byron Drive could be assured.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Hoyle M. Osborne (representing applicant)

C14-72-217 Eddie Dill--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied, but recommended granting "BB" Residence, First Height and Area subject to subdivision and dedication of one-half the land necessary to bring the right-of-way on Keats Drive to 60 feet.

AYE: Messrs Hetherly, Barrow, Betts, and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Eddie Dill for a zoning change from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 3710 Manchaca Road, the rear of 3712-3800 Manchaca Road and 3711-3803 Keats Drive be DENIED, but grant "BB" Residence, First Height and Area subject to a subdivision and dedication of one-half the land necessary to bring the right-of-way on Keats Drive to sixty feet.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-218 Bridge Studio of Austin: A to B
1705 Palo Duro Road

STAFF REPORT: This property is located on a minor residential street with only 30 feet of surfaced width. Subject tract is part of a large single-family area which includes the Vallejo and Violet Crown subdivisions. There is "C" Commercial zoning to the south and east which fronts on Koenig Lane. Single-family dwellings exist across Palo Duro Road and adjoin subject tract to the west. The staff recommends that this case be denied. The requested zoning would be an intrusion into a single-family area and there would be no logical means of terminating zoning requests along this inadequate street.

TESTIMONY

WRITTEN COMMENT

Johnny & Olga E. Dollinger: 1706 Palo Duro Road	FOR
Page, Southerland, Page: P. O. Box 2004	FOR
Gerald G. Wood: 1702 Palo Duro Road	AGAINST
Mr. & Mrs. Barney Bowling, Jr.: 1707 Palo Duro Road	AGAINST
Mr. & Mrs. Berry L. Alvis: 1704 Palo Duro Road	AGAINST
C. W. Boswell: 4700 Strass Drive	AGAINST

PERSONS APPEARING

Robert E. Norwood (applicant)	
James W. McGrew (applicant)	
Glen D. Smith: Rt. 1, Box 59-A, Cedar Creek, Texas	AGAINST
C. W. Boswell: 4700 Strass Drive	AGAINST

C14-72-218 Bridge Studio of Austin--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that due to the need for parking facilities this request should be granted subject to a restrictive covenant prohibiting access on Palo Duro Road for other than "A" Residence use, 5-foot right-of-way on Palo Duro Road, and a 6-foot privacy fence on the west property line.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Bridge Studio of Austin for a change in zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 1705 Palo Duro Road be GRANTED, subject to a restrictive covenant prohibiting access on Palo Duro Road for other than "A" Residence use, five-feet of right-of-way on Palo Duro Road and a six-foot privacy fence on the west property line.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-219 Burke Matthews: LR to C-2 and GR (as amended)
2017-2033 East Riverside Drive at Burton Drive (southwest corner)

STAFF REPORT: This property totaling 30,000 square feet is located at the southwest corner of East Riverside and Burton Drives. The applicant is requesting "C-2" Commercial for 2,400 square feet with the remainder as "GR" General Retail. Property along Riverside Drive adjoining subject tract and across Riverside Drive is zoned "LR" Local Retail and "GR" General Retail. To the south, the property is zoned for apartment development. The staff recommends that this case be granted, subject to receipt of two sets of metes and bounds-- one for the "GR" General Retail tract and the other for the "C-2" Commercial area.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Burke Matthews (applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be granted, as amended, subject to metes and bounds.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

C14-72-219 Burke Matthews--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Burke Matthews for a change of zoning from "LR" Local Retail, First Height and Area to "C-2" Commercial, First Height and Area and "GR" General Retail, First Height and Area, as amended, for property located at 2017-2033 East Riverside Drive at Burton Drive be GRANTED, as amended subject to a metes and bounds description of each zoning tract.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-220 DeWitt C. Noguees, et al: A to MH
 801-911 South Center Street
 3702-3714 South Second Street
 3701-3713 Birch Street
 3700-3706 Birch Street
 3613-3707 Garden Villa Lane
 904 and 914 South Center Street

STAFF REPORT: This property consists of twenty-five tracts totaling 6.13 acres located along South Second, South Center, Garden Villa, and Birch Streets, all minor residential streets. Subject tracts are located in a residential area north of Banister Lane and west of South First Street. There is considerable development of single-family homes to the north of South Center Street. Land area to the south is zoned "A" Residence and sparsely developed. The staff recommends that this case be denied, but recommends that "MH" Mobile Home zoning be granted on all but three tracts north of South Center Street (Lots 1 and 2, Birchwood Addition Section 2, and the Resubdivision of part of Lots 6 and 10, Block 4 of the Freewater Addition), subject to 5 feet of right-of-way on South Second Street, and a subdivision, and 5 feet of right-of-way is required for the 68x201 tract on the south side of South Center Street. It is felt that the requested zoning on the contiguous properties is appropriate; however, the isolated lots would not be in conformance with the Mobile Home Ordinance.

TESTIMONY

WRITTEN COMMENT

G. L. Anderson & Chas. D. Nash: P. O. Box 1988	FOR
Albert D. Scott: 811 S. Center Street	FOR
Mrs. Rosa Cade: 3701 Garden Villa Lane	FOR
Oscar M. Medal: 909 Audrey Drive	AGAINST

PERSONS APPEARING

DeWitt C. Noguees (applicant)	
Jim Jennings	FOR
Brad Mattlock	FOR
Mr. Scott: 811 S. Center Street	FOR
Charlie Harris: 3703 Garden Villa	FOR
Richard L. Plautz: 1005 Audrey Court	AGAINST

C14-72-220 DeWitt C. Nogue, et al--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be denied, but recommended granting "MH" Mobile Home, First Height and Area on all but three tracts north of South Center Street, subject to subdivision, 5 feet of right-of-way on South Second Street, and 5 feet of right-of-way for the 68 x 201 foot tract on the south side of South Center Street.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of DeWitt C. Nogue, et al for a change of zoning from "A" Residence, First Height and Area to "MH" Mobile Home, First Height and Area for property located at 801-911 South Center Street, 3702-3714 South Second Street, 3701-3713 Birch Street, 3700-3706 Birch Street, 3613-3707 Garden Villa Lane and 904 and 914 South Center Street be DENIED, but grant "MH" Mobile Home, First Height and Area on all but three tracts north of South Center Street, subject to subdivision, five feet of right-of-way on South Second Street and five feet of right-of-way for the 68x201 foot tract on the south side of South Center Street.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-221 Thomas P. Francis: A to C
1622-1704 South Lamar Boulevard (rear)

STAFF REPORT: This property totals approximately three-fourths of an acre and is part of an overall tract that has 113 feet of frontage on South Lamar Boulevard. Subject tract has "C" Commercial zoning in all directions except to the west where there are residence-zoned tracts oriented to Kinney Avenue. The staff recommends that this case be granted, subject to a subdivision indentifying this property and providing one-half the right-of-way necessary to bring Lamar Boulevard to 100 feet of right-of-way. Also, a restrictive covenant providing for a six-foot privacy fence along the west boundary line is suggested. The requested zoning, with proper shielding of the residential property, is a logical extension of existing zoning.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Thomas P. Francis (applicant)

C14-72-221 Thomas P. Francis--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be granted, subject to dedication of one-half the land needed to bring the right-of-way on Lamar Boulevard to 100 feet, and a 6-foot privacy fence along the west boundary line.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Thomas P. Francis for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 1622-1704 South Lamar Boulevard (rear) be GRANTED, subject to dedication of one-half the land needed to bring the right-of-way on Lamar Boulevard to 100 feet, and a six-foot privacy fence along the west boundary line.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-222 Straus-Frank Profit Sharing Trust: C, 6th to C-2, 6th
4302-4304 Manchaca Road (rear)
2004-2012 Ivy Trail (rear)

STAFF REPORT: The applicant is requesting "C-2" Commercial zoning for 4,000 square feet out of a 35,000 square foot tract for the purpose of developing a package liquor store. This site is surrounded by commercial-retail zoning. There is a service station to the south, a shopping center across Manchaca Road to the east, and a florist shop to the north. This proposed store would be located 100 feet from the closest residential development to the west. The staff recommends that this case be granted.

TESTIMONY

WRITTEN COMMENT

J. B. Ford, et al: 2405 Bowman Avenue	FOR
Mr. & Mrs. John C. Gustafson: 2009 Fortview Road	AGAINST
Charles M. Holt: 2028 Ivy Trail	AGAINST
Petition bearing 30 names	AGAINST

PERSONS APPEARING

Steve Price (applicant)	
Alfred A. Fenge: 2102 Ivy Trail	AGAINST
John Hancock: 2104 Ivy Trail	AGAINST
Charles M. Holt, II: 2028 Ivy Trail	AGAINST
Ralph E. Rogers: 2100 Ivy Trail	AGAINST

C14-72-222 Straus-Frank Profit Sharing Trust--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be granted subject to a restrictive covenant limiting it to a package liquor store and "C" Commercial uses.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Straus-Frank Profit Sharing Trust for a change of zoning from "C" Commercial, Sixth Height and Area to "C-2" Commercial, Sixth Height and Area for property located at the rear of 4302-4304 Manchaca Road and 2004-2012 Ivy Trail be GRANTED, subject to a restrictive covenant limiting the use to a package liquor store and "C" Commercial zoning uses.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-223 Henry G. Sanders: A to GR (Tract 1) and BB (Tract 2)

4106-4108 East 12th Street
 4110-4118 East 12th Street (rear)
 4120 East 12th Street

STAFF REPORT: Subject tracts are located approximately one-half block west of the intersection of Springdale Road and East 12th Street. The tracts have approximately 80 feet of frontage which must serve three acres of land. Tract 1 adjoins a small shopping center zoned "LR" Local Retail. A cemetery exists to the north with Gillis Park across 12th Street. Single-family homes exist to the west and a pocket of "A" Residence zoning is surrounded by these tracts. Local retail zoning was recommended for Tract 1 by the Planning Commission recently over the recommendation of the staff that it be denied. The owner has now refiled requesting "GR" General Retail zoning. Tract 2 was part of a zoning case granted "BB" Residence zoning in 1969, but due to the fact that the owner did not meet the conditions of zoning, it was dismissed in June of 1972. The staff recommends that this case be denied, but recommends that "BB" Residence zoning be granted on Tract 2, subject to a density of fifteen units per acre, six-foot privacy fences where adjoining "A" Residence zoning, and subdivision.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Ted Newls (representing applicant)

C14-72-223 Henry G. Sanders--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be denied, but recommended granting "BB" Residence, First Height and Area on Tract 2 and on the north 155 feet of Tract 1, subject to subdivision; density of 15 units per acre; and a 6-foot privacy fence where adjoining "A" Residence zoning.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Henry G. Sanders for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area (Tract 1) and "BB" Residence, First Height and Area (Tract 2) for property located at 4106-4108 East 12th Street, 4110-4118 East 12th Street (rear) and 4120 East 12th Street be DENIED, but grant "BB" Residence, First Height and Area on Tract 2 and on the north 155 feet of Tract 1, subject to a subdivision, a restrictive covenant limiting density to fifteen units per acre and a six-foot privacy fence where adjoining "A" Residence zoning.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-224 Edwin London: A, 1st to B, 2nd
 301-303 West 38th Street
 3706-3710 Home Lane

STAFF REPORT: This property totaling 12, 600 square feet is located at the southwest corner of East 38th Street, a major arterial, and Home Lane, a minor residential street with 25 feet of right-of-way. This property falls within a section of the University-Hyde Park area for which the staff and Planning Commission have been recommending apartment zoning. The needed right-of-way will affect this tract more than others due to the inadequacy of Home Lane. The staff recommends that the case be granted, subject to one-half the right-of-way necessary to bring Home Lane to sixty feet; five feet of right-of-way on East 38th Street; and subdivision of these two tracts into one to prevent substandard size lots.

TESTIMONY

WRITTEN COMMENT

Willie G. Clark: 311 West 38th Street	FOR
Mrs. Z. W. Salarke: 103 East 30th Street	FOR
Bertha & Josephine Casey: 305 West 38th Street	AGAINST

PERSONS APPEARING

H. E. Padgett, Jr. (representing applicant)

C14-72-224 Edwin London--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be granted subject to dedication of 5 feet of right-of-way on East 38th Street, and 7-1/2 feet of right-of-way on Home Lane.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Edwin London for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 301-303 West 38th Street and 3706-3710 Home Lane be GRANTED, subject to the dedication of five feet of right-of-way on East 38th Street, and 7-1/2 feet of right-of-way on Home Lane.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Asworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-225 Chris Petropoulos: C, 6th to C-2, 6th
5303 Cameron Road (rear)

STAFF REPORT: The applicant is requesting "C-2" Commercial, Sixth Height and Area zoning for 2,905 square feet for the purpose of adding to an existing package liquor store. "C" Commercial and "GR" General Retail zoning exists around subject tract. The staff recommends that this case be granted. The staff has no objection as this is an area of intense zoning and development.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Steve Price (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be granted.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

C14-72-225 Chris Petropoulos--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Chris Petropoulos for a change of zoning from "C" Commercial, Sixth Height and Area to "C-2" Commercial, Sixth Height and Area for property located at 5303 Cameron Road (rear) be GRANTED.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-226 J. K. Hurst, Independent Executor of Estate of Martha Palm: B to O
706-708 West 10th Street
1001-1003 West Avenue
1004 West Avenue

STAFF REPORT: This application covers two properties: Tract 1 on the west side of West Avenue and Tract 2 on the northeast corner of West 10th Street and West Avenue, both streets are classified as major arterials. This property falls within an area zoned for apartments or offices and appears to be in transition to office development. The staff recommends that this case be granted.

TESTIMONY

WRITTEN COMMENT

G. S. Nalle	FOR
George S. Nalle, Jr.	FOR
Robert Gage: 1304 Rio Grande Avenue	FOR
Earle E. Simms, Jr.: P. O. Box 1987	FOR

PERSONS APPEARING

Robert Mueller (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be granted.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of J. K. Hurst, Independent Executor of the Estate of Martha Palm for a change of zoning from "B" Residence, First Height and Area to "O" Office, First Height and Area for property located at 706-708 West 10th Street, 1001-1003 West Avenue and 1004 West Avenue be GRANTED.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-227 Ricker, Brown and Hassell: A to GR
 919-923 St. Johns Avenue
 7106-7108 Bennett Street

STAFF REPORT: This property totaling 20,500 square feet is located at the southwest corner of St. John's Avenue and Bennett Avenue. Subject tracts lie within an area which is predominately zoned and developed "A" Residence. There are three tracts between St. John's and Atkinson Road zoned retail-commercial. The requested zoning is not in agreement with the St. John's Area Neighborhood Development Plan which was heard by the Planning Commission at a special meeting on September 26, 1972. "GR" General Retail zoning was requested on this tract in 1971, and recommended for denial by the Commission. This zoning would be incompatible with zoning across the street. The staff recommends that this case be denied.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be postponed for 30 days.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To POSTPONE for one month the request of Ricker, Brown and Hassell for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 919-923 St. Johns Avenue and 7106-7108 Bennett Street.

AYE: Messrs Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-228 G. Frank Meece: A, 1st to B, 2nd (as amended)
 6019 Sheridan Avenue

STAFF REPORT: This property totaling 7,625 square feet is located on a residential street with 50 feet of right-of-way which is planned to go to 70 feet. Subject tract falls within a single-family neighborhood surrounded by more intense zoning. "O" Office zoning exists to the east, with retail-commercial development to the north along U.S. 290, and apartment zoning to the southeast. The staff recommends that this case be granted, subject to ten feet of right-of-way on Sheridan Avenue.

C14-72-228 G. Frank Meece--Contd.

TESTIMONY

WRITTEN COMMENT

Texas Hospital Association: P. O. Box 4553 FOR
Alfred Treka: 1038 Broadview Street AGAINST

PERSONS APPEARING

G. Frank Meece (applicant)
William J. Burnette: 600 W. 12th Street FOR

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be granted, as amended, subject to 10 feet of right-of-way on Sheridan Avenue.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of G. Frank Meece for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area (as amended) for property located at 6019 Sheridan Avenue be GRANTED, as amended, subject to ten feet of right-of-way on Sheridan Avenue.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-229 A. W. Cain: BB, 2nd to B, 2nd
305-307 East 34th Street

STAFF REPORT: This property totaling 19,942 square feet is located on the south side of West 34th Street with 60 feet of right-of-way. Subject tract falls within an area which has been in transition to multi-family zoning for several years. The staff recommends that this case be granted. The requested zoning is consistent with the recommendation made in the University Area Review.

TESTIMONY

WRITTEN COMMENT

A. E. Rhodes: 819 East 38th Street FOR
Roy E. & Ruth C. Walker: 401 East 34th Street AGAINST
John M. Del Curto: 306 East 34th Street AGAINST
J. G. Holloway, Jr.: 404 East 34th Street AGAINST

PERSONS APPEARING

A. W. Cain (applicant)
A. E. Rhodes: 819 East 38th Street FOR
Mrs. Ruth C. Walker: 401 East 34th Street AGAINST

C14-72-232 National Life and Accident Insurance Company--Contd.

TESTIMONY

WRITTEN COMMENT

Watt Schieffer: 1011 East 40th Street	FOR
Alfred Carl Hampe, Jr.: 936 East 55th Street	AGAINST
Rex J. Owens: 934 East 55th Street	AGAINST

PERSONS APPEARING

Jerry Nugent (representing applicant)	
Monroe Bethke: 1900 Corona Drive	AGAINST
John H. Akin: 811 Capital Nat'l Bank Building	AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and discussed possible access problems. The majority concluded that this request should be referred to the full Commission as they needed more time to survey the site.

AYE: Messrs Hetherly, Barrow and Betts. Mrs. Ashworth
 NAY: Mr. Faulkner

The Commission members were concerned with the ingress/egress problems involved with this tract and the possibility of cars parking in and driving through property belonging to the adjoining owner. The Commission reviewed the information available and

VOTED: To recommend that the request of National Life and Accident Insurance Company for a change of zoning from "C" Commercial, Sixth Height and Area to "C-2" Commercial, Sixth Height and Area for property located at 5510 North Interregional Highway 35 be DENIED.

AYE: Messrs. Milstead, Betts, Stewart and Mrs. Mather
 NAY: Mr. Hetherly and Mrs. Ashworth
 ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-233. John D. Byram: C, 2nd to C, 4th
 2600-2632 South Congress Avenue
 100-114 Cumberland Road

STAFF REPORT: The staff recommended that the Zoning Committee continue this hearing to the Planning Commission as it is felt that the applicant can accomplish the proposed use under the present zoning designation. The additional week will give the staff and the applicant sufficient time to discuss the possibility of withdrawing this zoning case.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

None

C14-72-233 John D. Byram--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be referred to the full Commission.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

Mr. Alexander reported at the Planning Commission meeting that the Planning Department has received a letter requesting the withdrawal of this request for zoning.

The Commission then

VOTED: To allow the WITHDRAWAL of the request from John D. Byram for a zoning change from "C" Commercial, Second Height and Area to "C" Commercial, Fourth Height and Area for property located at 2600-2632 South Congress Avenue and 100-114 Cumberland Road.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-234 Wilma Horne: A to O
4017-4021 Manchaca Road
4016-4020 Valley View Road

STAFF REPORT: This property totaling 2 acres is located between a major arterial and a minor residential street. Along most of its width, Valley View Road has less than 50 feet of right-of-way. The staff and the Planning Commission have recommended that tracts fronting on Manchaca Road be zoned "O" Office. Subject tract, however, extends into a single-family and duplex neighborhood. "O" Office zoning to this depth would be an intrusion. The staff recommends that this case be denied, but recommends that "O" Office, First Height and Area be granted on all but the easternmost 125 feet, which is to remain "A" Residence, subject to a subdivision creating two tracts to correspond to the different zoning, and dedication of ten feet of right-of-way on Valley View Road.

TESTIMONY

WRITTEN COMMENT

Robert L. Thompson: 1900 W. Ben White Boulevard	FOR
Mrs. Lucy Blackman: 4102 Manchaca Road	AGAINST
Mr. & Mrs. A. O. Willman: 2005 Pratter Lane	AGAINST
Mrs. Roger E. Wesson: 4006 Valley View Road	AGAINST
Mr. & Mrs. Thomas B. Pool: 4012 Valley View Road	AGAINST

PERSONS APPEARING

Martin Boozer, Jr. (representing applicant)	
Mr. & Mrs. Edgar Richter	AGAINST

C14-72-234 Wilma Horne--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be denied, but recommended granting "O" Office, First Height and Area on all but the easternmost 125 feet, subject to subdivision creating two tracts, and dedication of 10 feet of right-of-way on Valley View Road.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Wilma Horne for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 4017-4021 Manchaca Road and 4016-4020 Valley View Road be DENIED, but grant "O" Office, First Height and Area on all but the easternmost 125 feet, subject to subdivision creating two tracts, and dedication of ten feet of right-of-way on Valley View Road.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-235. The Mecom Trust and Vernon Cook: Int. A, Int. 1st to C, 1st
6501-6507 Manor Road
Bounded by Manor Road, Northeast Drive and Springdale Road

STAFF REPORT: This property totaling 2.76 acres is bounded by two major arterials, Manor Road and Springdale Road, and Northeast Drive which is a neighborhood collector street with 80 feet of right-of-way. Local retail and apartment zoning exist to the north, south and west. Uses as permitted under "C" Commercial zoning would be incompatible with zoning to the north and south. The homes on Hyside Drive, one block west, are considerably higher in elevation and overlook subject tract. The staff recommends that this case be denied, but recommends that "GR" General Retail, First Height and Area be granted.

TESTIMONY

WRITTEN COMMENT

John Browning: 1910 Justin Lane FOR
R. R. Gandy, Texaco Inc.: P. O. Box 60, San Antonio, TX FOR

PERSONS APPEARING

Martin Boozer, Jr. (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be denied, but recommended granting "GR" General Retail, First Height and Area.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

C14-72-235 The Mecom Trust and Vernon Cook--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Mecom Trust and Vernon Cook for a change of zoning from Interim "A" Residence, Interim First Height and Area to "C" Commercial, First Height and Area for property located at 6501-6507 Manor Road, bounded by Manor Road, Northeast Drive and Springdale Road be DENIED, but grant "GR" General Retail, First Height and Area.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-236 John D. Byram, Agent for Mary Belle C. Hill, et al: A to C (as amended) 1526-1642 State Highway 71

STAFF REPORT: This property totaling 33.435 acres is located on Highway 71, with 350 feet of frontage on Austin-Del Valle Road. Subject tract adjoins Bergstrom Field to the east and mixed zoning ranging from "A" Residence to "C" Commercial to the west, the trend being to a more intense zoning and use. There is a Federal easement over subject tract. A Master Plan change would be required for this property to be zoned "D" Industrial. The proposed use is for warehousing and can be accomplished under "C" Commercial zoning which would be compatible with this area and anticipated development. The staff recommends that this case be denied, but recommends that "C" Commercial, First Height and Area be granted, subject to a restrictive covenant reaffirming the Federal easement and providing for a six-foot privacy fence where adjoining "A" Residence and "MH" Mobile Home zoning on the west boundary line. Also, one-half of the right-of-way necessary to bring Austin-Del Valle Road to sixty feet is required.

TESTIMONY

WRITTEN COMMENT

Resident Bergstrom Air Force Base

FOR

PERSONS APPEARING

Robert C. Sneed (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be granted, as amended, subject to dedication of one-half the land needed to bring the right-of-way on Austin-Del Valle Road to 60 feet, and a 6-foot privacy fence where adjoining "A" Residence and "MH" Mobile Home zoning on west boundary line.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

C14-72-236 John D. Byram, Agent for Mary Belle C. Hill, et al--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that this request of John D. Byram, Agent for Mary Belle C. Hill, et al for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area (as amended) for property located at 1526-1642 State Highway 71 be GRANTED, as amended, subject to dedication of one-half the land needed to bring the right-of-way on Austin-Del Valle Road to sixty feet, and a six-foot privacy fence where adjoining "A" Residence and "MH" Mobile Home zoning on west boundary line.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-237 Henry W. Taylor, et al: A to AA
 1400, 1408-1410, 2422-2426, 2508-2700, 1401-1405, 1409-1413
 2425-2515, 2601-2707 Wooldridge Drive
 1100-1210, 1101-1209 Claire Avenue
 1000-1014, 1001-1015, 1103-1303, 1100-1302 Gaston Avenue
 2408-2410, 2415 Pemberton Place
 1301-1303 Hardouin Avenue
 2401-2403 Stark Place (as amended)

STAFF REPORT: This application covers some 77 lots/tracts within the Pemberton Heights area and adjoining sections. This area of older homes is currently under the blanket of "A" Residence zoning. The people whose property is covered under this application have requested that their property be rezoned to the more restrictive category of "AA" Residence which precludes, among others, duplex development as well as any use under "A" Residence zoning requiring a special permit. The staff recommends that this case be granted.

TESTIMONY

WRITTEN COMMENT

John R. Stockton: 1010 Gaston Avenue	FOR
Sally Nixon Miller: 2618 Wooldridge Drive	FOR
Tom Miller, III: 2618 Wooldridge Drive	FOR
Michael Stewart Miller: 2618 Wooldridge Drive	FOR
Mrs. Margaret Bull Moore: 2604 Wooldridge Drive	FOR
Mrs. John H. Nash, Sr.: P. O. Box 1988	FOR
Mrs. Philip Joseph: 2706 Wooldridge Drive	FOR
Dr. & Mrs. Nelson L. Schiller: 1406 Wooldridge Drive	FOR
Frank R. Rundell: 2602 Wooldridge Drive	FOR
Mrs. J. G. Pope: 1315 Westover Road	FOR
Roberta F. Wheeler: 1306 Westover Road	FOR
Mr. & Mrs. Sam Kimberlin: 1202 Claire Avenue	FOR
Dr. W. T. Gery: 1200 Claire Avenue	FOR
Mr. & Mrs. Joc R. Humphrey: 2518 Wooldridge Drive	FOR
John C. Foshee: 2402 Pemberton Place	FOR
Evelyn R. Reed: 2501 McCollum Drive	FOR
Victor L. Brooks: 1100 Claire Avenue	FOR

C14-72-237 Henry W. Taylor, et al--Contd.

Mr. & Mrs. Harry A. Bresler: 1203 Claire Avenue	FOR
Vernon A. McGee: 2512 Wooldridge Drive	FOR
A. W. & Gladys R. Avis: 1110 Claire Avenue	FOR
Dr. Joseph L. Love: 2506 Wooldridge Drive	AGAINST
Clyde W. Smith: 1500 Elton Lane	AGAINST
William H. Prather: 2502 Wooldridge Drive	AGAINST

PERSONS APPEARING

Henry W. Taylor (applicant)	
Mary Hart Taylor: 1015 Gaston Avenue	FOR
Dr. James T. (Paul) Robisoh: 1109 Gaston Avenue	FOR
Margaret Joseph: 109 Laurel Lane	FOR
Herschell Moore: 2704 Wooldridge Drive	FOR
Rector Allen: 2505 Wooldridge Drive	FOR
Mr. & Mrs. Thomas Townsend: 1108 Gaston Avenue	FOR
Mrs. George W. Stumberg: 1201 Gaston Avenue	FOR
Mr. & Mrs. Schulz-Behrend: 1100 Gaston Avenue	FOR
Dr. & Mrs. N. L. Schiller: 1406 Wooldridge Drive	FOR
John R. Stockton: 1010 Gaston Avenue	FOR
Mrs. Sam Kimberlin: 1202 Claire Avenue	FOR
Clyde W. Smith: 1500 Elton Lane	AGAINST
A. A. Terry: 2411 Pemberton Place	NO OPINION

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be granted.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Henry W. Taylor, et al for a change of zoning from "A" Residence, First Height and Area to "AA" Residence, First Height and Area for property located at 1400, 1408-1410, 2422-2426, 2508-2700, 1401-1405, 1409-1413, 2425-2515, 2601-2707 Wooldredge Drive; 1100-1210, 1101-1209 Claire Avenue; 1000-1014, 1001-1015, 1103-1303, 1100-1302 Gaston Avenue; 2408-2410, 2415 Pemberton Place; 1301-1303 Hardouin Avenue and 2401-2403 Stark Place (as amended) be GRANTED.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-238 James R. Sloan, Trustee: C to C-2
3711 Airport Boulevard (rear)

STAFF REPORT: The applicant is requesting that 5,500 square feet be zoned for use as a package liquor store within a shopping center area at the northeast corner of Airport Boulevard and Manor Road. All four corners of this intersection are zoned "C" Commercial. The intersection is partially developed with retail-commercial use and further non-residential development is anticipated for this area. The staff recommends that this case be granted.

C14-72-238 James R. Sloan, Trustee--Contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Steve Price (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be granted subject to determination of proper right-of-way for East 38th Street.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of James R. Sloan, Trustee for a change of zoning from "C" Commercial, First Height and Area to "C-2" Commercial, First Height and Area for property located at 3711 Airport Boulevard (rear) be GRANTED, subject to the determination of proper right-of-way for East 38th Street.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-239 T. C. Steiner: Int. A, Int. 1st to C, 1st (Tracts 1,2,4,5,8 & 9) and East Riverside Drive B, 2nd (Tracts 3,6,7 & 10) Pleasant Valley Road

STAFF REPORT: This property totaling 90.472 acres is located on both sides of Pleasant Valley Road beginning at Riverside Drive and extending southward several hundred feet beyond the planned intersection of Oltorf Street and Pleasant Valley Road. This area already has intense zoning with retail-commercial along Riverside Drive and at the intersection of Oltorf Street and Burleson Road. There is apartment zoning and development between Riverside Drive and Oltorf Street. The requested zoning is not in direct conflict with the Master Plan for this area, but if reason is not exercised, the area could be developed to the point that it would be difficult to provide all the necessary public services. The staff recommends that this case be denied, but recommends that "GR" General Retail be granted on Tracts 1 and 2 and recommends that "BB" Residence, First Height and Area be granted southward to a depth of 400 feet south of the planned intersection of Pleasant Valley Road with Oltorf Street, subject to a subdivision identifying these tracts and providing for right-of-way requirements.

C14-72-239 T. C. Steiner--Contd.

TESTIMONY

WRITTEN COMMENT

Bennie Fojtik: 2802 Ware Road

FOR

PERSONS APPEARING

Richard C. Baker (representing applicant)
Mr. & Mrs. Albert Rodriguez: 2503 Ware Road

AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

The members voted to postpone their decision for 30 days at the request of the applicant's representative.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To POSTPONE for one month the request of T. C. Steiner for a zoning change from Interim "A" Residence, Interim First Height and Area to "C" Commercial, First Height and Area (Tracts 1, 2, 4, 5, 8 & 9) and "B" Residence, Second Height and Area (Tracts 3, 6, 7 & 10) for property located on East Riverside Drive and Pleasant Valley Road.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C14-72-241 Estate of Argus M. Fox: Int. A, Int. 1st to C, 1st
8914-8930 Research Boulevard (U.S. Highway 183)

STAFF REPORT: This property totaling 1.1 acres is located on the south side of Research Boulevard. It is one of a number of properties along Research Boulevard indicated as Commercial/Semi-industrial under the Master Plan. Wickes Lumber Company abuts subject tract to the east and the Longhorn Drive-In Theatre is to the west. The staff recommends that this case be granted, subject to subdivision.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Ras Redwine (applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be granted subject to subdivision.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

C14-72-241 Estate of Argus M. Fox--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request from the Estate of Argus M. Fox for a change of zoning from Interim "A" Residence, Interim First Height and Area to "C" Commercial, First Height and Area for property located at 8914-8930 Research Boulevard be GRANTED, subject to a subdivision.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

PLANNED UNIT DEVELOPMENT

C814-72-011 Joe Gilbreth: 147 Dwelling Units
Property bounded by Teri Road on the south
and Barkley Farm on the north.

STAFF REPORT: The applicant is proposing the development of 147 dwelling units, to be one and two story, on this tract covering seventeen acres of land, a density of 8.7 units per acre. This tract is adjacent to Teri Road on the south and is approximately 700 feet east of Fredrick Lane. The proposed amenities include a small lake, a swimming pool and a club. There is a residential subdivision across Teri Road to the south; approximately five acres to the west of this proposed Planned Unit Development at the northeast corner of Fredrick Lane and Teri Road is designated as a proposed commercial development, and the land to the north and east is presently vacant. The staff recommends approval, subject to departmental requirements.

TESTIMONY

WRITTEN COMMENT

Ed M. Barkley: 2501 East St. Elmo Road FOR

PERSONS APPEARING

Edgar James (representing applicant)
Ed M. Barkley: 2501 East St. Elmo Road FOR

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be approved subject to departmental requirements, except for Item 10 under Planning Department which recommends a lower density, as on file at the City Planning Department.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

C814-72-011 Joe Gilbreth--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Joe Gilbreth for a special permit for the construction of 147 dwelling units on property bounded by Teri Road on the south and the Barkley Farm on the north subject to departmental requirements, except Item 10 under Planning Department which recommends a lower density, as on file with the City Planning Department. The Commission members authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes. Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

SPECIAL PERMITS

CP14-72-047 Highland Park Baptist Church: After-School-Care Center
5204-5300 Balcones Drive

STAFF REPORT: This application has been filed as required under Section 4, Subsection 8, Paragraph B and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. It is an application for an after-school-care center to accommodate fifty children. The tract is presently occupied by the Highland Park Baptist Church and is zoned "A" Residence. The adjacent property is zoned "A" Residence, with the exception of the property to the north, which is zoned "GR" General Retail and "C" Commercial. (Note State Welfare comments.) The site plan has been circulated to the various City departments and the comments are on file at the City Planning Department. The staff recommends approval, subject to departmental requirements.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be approved subject to departmental requirements as on file at the City Planning Department.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

CP14-72-047 Highland Park Baptist Church--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Highland Park Baptist Church for a special permit for the operation of an after-school-care center on property located at 5204-5300 Balcones Drive, subject to departmental requirements as on file with the Planning Department and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

CP14-72-048 M. A. Ward, Sr., Trustee: 90-Unit Apartment Project
2980 East 51st Street
Rear of 3001-3011 Pecan Springs Road

STAFF REPORT: This application for a special permit for the construction of a 90-unit apartment project, with a density of 12.9 units per acre, to be located at the rear of 2980 East 51st Street and the rear of 3001-3011 Pecan Springs Road. This property is presently zoned "BB" Residence, First Height and Area. The existing zoning on the adjacent property is "A" Residence on the east and south, and "A" Residence and "BB" Residence to the west. The tract is bordered by East 51st Street to the north, with access to the tract from East 51st Street. This application has been filed as required under Section 5, Subsection 8, Paragraph e and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. The site plan has been circulated to the various City departments and the comments are on file at the City Planning Department. The staff recommends approval, subject to departmental requirements.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Richard C. Baker (representing applicant)	
Elmer M. Hohle: 5104 Marymount Drive	AGAINST
W. F. Gilliland: 5200 Marymount Drive	AGAINST
Dawn A. Tisdale: 5102 Marymount Drive	AGAINST

CP14-72-048 M. A. Ward, Sr., Trustee--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be approved subject to departmental requirements as on file at the City Planning Department.

AYE: Messrs Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of M. A. Ward, Sr., Trustee for a special permit for the construction of a ninety-unit apartment project on property located at 2980 East 51st Street and the rear of 3001-3011 Pecan Springs Road, subject to departmental requirements and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

CP14-72-049 J. B. Ford, et al: 120-Unit Condominium Project
Berkeley Avenue, west of Manchaca Road

STAFF REPORT: This application has been filed as required under Section 5-c, Subsection 39, Paragraph f and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. The application covers a 10 acre site, which is a portion of a 20.579 acre tract at the southwest corner of Manchaca Road and Berkeley Avenue zoned "GR" General Retail, First Height and Area, except for a 64-foot strip along the west and south sides of the tract. The applicant proposes a 120-unit condominium project on this area of 10 acres. The site plan has been circulated to the various City departments and the comments are on file at the City Planning Department. The staff recommends approval, subject to departmental requirements.

TESTIMONY

WRITTEN COMMENT
None

PERSONS APPEARING
John Pilling (representing applicant)

CP14-72-049 J. B. Ford, et al--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be approved subject to departmental requirements as on file at the City Planning Department.

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of J. B. Ford, et al for a special permit for the construction of a 120-unit condominium project on property located on Berkely Avenue, west of Manchaca Road and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

OTHER BUSINESS

C2-72-1 Austin Development Plan

Setting a date for a public hearing on extended coverage of the Master Plan designation to the full five mile limit, revise application procedures, realignment of uses within industrial districts.

The Commission members set a public hearing on extending coverage of the Master Plan to include all the area within the City's extraterritorial jurisdiction for November 15, 1972, at 7:00 p.m. in the Council Chambers. The members requested that pertinent information be given to the Public Information office of the City of Austin and let that department handle the advertising for this meeting.

C2-72-9 Policy Studies

Set a public hearing for proposed signs for commercial areas.

Mr. Alexander, Assistant Director of Planning, requested that the setting of a public hearing on proposed signs for commercial areas be postponed.

Mr. Milstead stated that a Committee has been set up to study this matter and it could set a public hearing. The Commission then

C2-72-9 Policy Studies - Contd.

VOTED: To postpone setting a public hearing on the use of signs for commercial areas.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C2-72-9 Policy Studies

Review of past Planned Unit Developments and their density.

Mr. Alexander stated that material concerning past Planned Unit Developments has been made available to the Planning Commission for their information and that the staff will set a public hearing to review this information and the guidelines at a later date.

The Commission took no action on this matter.

C5-72-4 Urban Renewal Projects

Brackenridge Urban Renewal Plan, proposed changes.

Mr. Leon Lurie of the Urban Renewal agency presented the proposed changes to the Commission. The changes were as follows:

1. That Sabine Street between East 11th Street and East 12th Street remain open. The approved plan called for the closing of this street.
2. That the alley between East 10th Street and East 11th Street from San Jacinto Street to Trinity Street remain open. The approved plan called for the closing of this alley.
3. That the alley between East 11th Street and East 12th Street from San Jacinto Street to Trinity Street remain open. The approved plan called for the closing of this alley.
4. That East 17th Street between San Jacinto Street and Trinity Street remain open. The approved plan called for the closing of this street.
5. Dedication of new L-shaped alley from Trinity Street and East 11th Street between East 11th Street and East 12th Street. The new alley is not shown on the approved plan.
6. Dedication of new L-shaped alley from East 11th Street to Red River Street between East 10th Street and East 11th Street. The new alley is not shown on the approved plan.
7. That "storage and repair facility for trucks not to exceed 1 1/2 tons" be included under the B, 2 land use designation.

Mr. Lurie further stated that these are the only changes that have been made to the plan.

Mr. Arthur Pihlgren, representing the Southland Corporation, requested that these proposed changes be approved.

There was no one present in opposition to these changes.

C5-72-4 Urban Renewal Projects - Contd.

The Commission then

VOTED: To recommend that the changes as proposed to the Brackenridge Urban Renewal Plan be APPROVED as being in conformance with the Master Plan of Austin.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes. Ashworth and Mather.

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C2-72-3 Zoning Ordinance Amendment
Section 4514(b) of the Zoning Ordinance

A recent court decision has raised some doubt as to whether the provisions of Section 45-14(b), which require that Zoning amendments pass by six votes if the planning commission recommends against the change, or if the owners of at least twenty percent of the surrounding territory protest the change, are applicable to situations where the property up for zoning is classified interim "A" residence. This amendment will resolve the doubt created by a recent court case and insure that the provisions of Section 45-14(b) are applicable to all zoning cases.

"(b) Any ordinance for the amendment, supplement, change or repeal of this chapter and any ordinance providing for the final determination of the proper zoning of property classified interim "A" residence, first height and area, under the provisions of section 45-14(d) shall either be proposed to the city council by the planning commission or shall be referred by the city council to the planning commission for consideration and report, before any final action shall be taken thereon by the city council. In the event the report of the planning commission on the proposed ordinance for the amendment, supplement, change or repeal of this chapter or on the proposed ordinance providing for the final determination of the proper zoning of property classified interim "A" residence, first height and area, is adverse thereto, or in the event a protest against the proposed ordinance for an amendment, supplement, change or repeal of this chapter or for the final determination of the proper zoning of property classified interim "A" residence, first height and area, is presented, in writing, to the city council, signed by the owners of at least twenty per cent either of the area of the lots or land immediately adjoining the same and extending two hundred feet therefrom, such ordinance, or for the amendment, supplement, change or repeal of this chapter, or for the final determination of the proper zoning of property classified interim "A" residence, first height and area, shall not be passed except by an affirmative vote of at least three-fourths of all the members of the city council."

The Commission discussed the revision and

C2-72-3 Zoning Ordinance Amendment - Contd.

VOTED: To recommend approval of the zoning ordinance amendment to Section 45-14(b) as outlined above.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes. Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C1-72-3 Minutes

The Commission members

VOTED: To APPROVE the May Special Planning Commission minutes, the July Subdivision Committee minutes and the August Capital Improvements Program Committee minutes as distributed.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of September 26, 1972, and requested that this action be made a part of the minutes of this Planning Commission meeting.

C8s-72-105 W. J. Taylor Addition
Manor Road

This short form subdivision appeared before the Subdivision Committee on April 25, 1972, and it was recommended that it be rejected and a subdivision be required on the original tract of land. The action of the Subdivision Committee reflected this recommendation. When the plat was heard the owner was not willing to put up the fiscal arrangements for a drainage ditch and the plat was withdrawn, this was the original plat on the entire tract of land. At a later date parts of the property were sold by metes and bounds descriptions without subdivision approval.

It is the staff recommendation that this plat not be recorded in this form but that the original plat should be submitted and approved with drainage arrangements. This recommendation meets with the approval of the Legal Department. Two of the owners of property in question have refused to join in this plat which makes it necessary to have a subdivision and fiscal arrangements on the entire tract of land.

Mr. Martin Boozer, representing Lt. Taylor, stated that the property was sold to his client with the understanding that everything was in order. He later learned that he did not have the zoning necessary for his proposed development and the conditions of the zoning had not been met, one of which was a subdivision. The owner proceeded to file a short form subdivision and was told that his short form would be rejected until he could get Mr. Nobles and others to join in the plat. Mr. Boozer requested that his client be granted his short form and the department use other means to get the fiscal requirements and subdivision. His client's land is not affected by the drainage ditch. Mr. Boozer stated that a CO (certificate of occupancy) has not been issued for construction going on on one of the properties and this could be used to insure a proper subdivision.

C8s-72-105 W. J. Taylor Addition - Contd.

The Commission reviewed the information. Mr. Stewart stated that the problem really is not Lt. Taylor's or Mr. Brand's (the owner of the property requesting a CO) the problem is Mr. Nobles' and he would have to be the one to get the fiscal arrangements and subdivisions in to the Planning Department.

Mr. Foxworth stated that if the permit has not been released and Building Inspection will hold the CO then the Department has another means by which to insure the proper subdivision of the property. The Commission then

VOTED: To APPROVE the short form subdivision of C8s-72-105 W. J. Taylor Addition.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C8s-72-223 Von Addition
Warren Street and Exposition Boulevard

This subdivision requires a variance on the lot lines because they are not perpendicular to the street. The request is being made due to the fact that a building exists on the property and a variance is the only way these lots can be made legal. The staff made no recommendation.

The Commission reviewed the information and

VOTED: To APPROVE the short form subdivision C8s-72-223 Von Addition granting a variance on the varying lot lines.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes. Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C8s-72-272 Steck Addition#2
Shoal Creek Boulevard

This case was referred to the full Commission to determine adequate access to the Steck Plant Site. Mr. Foxworth reported that this area has been the subject of much confusion due to certain letters on file with the Planning Department pertaining to the right-of-way needed for access to the Steck plant. The files reflect that a seventy-five foot access road was originally reserved at the north entrance to the Steck plant. The present entrances are 30.7 feet and 35 feet. Traffic and Transportation usually requires 45 feet for this type of drive.

Several persons representing property owners directly affected by the subdivision were present at the meeting and explained that the right-of-way once thought necessary for access to the Steck plant is no longer necessary. The present access is sufficient and due to the fact that Steck cannot expand at this location no additional right-of-way will be necessary. The property has changed ownership several times and to require seventy-five feet of right-of-way for an access road at this point would cause hardships on the present owners. It was pointed out that the curb breaks at the entrances to the plant were constructed to allow for the trucks that service the plant.

C8s-72-272 Steck Addition #2 - Contd.

The Commission reviewed the information as presented and Mr. Hetherly stated that the present entrances to the Steck plant seem to be sufficient. There is not usually any problem with traffic due to the staggered work hours of the employees at the plant. The Commission discussed the use of the public utility easement for right-of-way and were advised that this would take away some of the parking from the proposed veterinary clinic. The Commission then unanimously

VOTED: To APPROVE the short form subdivision C8s-72-272 Steck Addition #2 with the access as provided on the present plat.

FINAL SUBDIVISION PLATS - FILED AND CONSIDERED

Twelve final subdivisions have appeared before the Commission in the past and have now met all departmental requirements. The staff recommends that they be approved. The Commission then

VOTED: To APPROVE the following final subdivision plats:

- C8-70-121 Balcones Village, Section Eleven
U. S. 183 and Balcones Club Drive
- C8-71-118 Bales and Warren Subdivision
Proposed Outer Loop and Hulsey Road
- C8-71-175 Lost Creek, Section One (1)
Lost Creek Boulevard
- C8-72-08 Valley Oaks
Black Angus Drive and Bar-X Drive
- C8-72-10 Creek Bend South, Section One (1)
North Bluff Drive
- C8-72-32 Carrell Oaks, Section One (1)
Mathews Lane and Cooper Lane
- C8-72-38 Spicewood at Balcones Village, Section 1
Spicewood Parkway
- C8-72-63 Quail Creek, Phase III, Section IV
Mearns Meadow Boulevard and Neans Drive
- C8-72-67 Northview Hills, Section One (1)
Texas Plum Road and Mellow Lane
- C8-72-92 Point Venture, Section Three-Two
Venture Boulevard and Lohmann Ford Road
- C8-72-96 Forest North Estates, Phase Two (2)
Broadmeade Avenue and Shady Oaks Drive
- C8-72-109 Shapard Lane Street Dedication
Shapard Lane and Highway 71

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather
 ABSENT: Messrs. Barrow, Bobbitt and Faulkner

Final Subdivision Plats - Filed and Considered -- contd.

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the final subdivision plat C8-72-120 Buckingham Ridge, Section Two (2) Eberhart Lane and Sunstrip Drive, pending compliance with departmental requirements, easements, current tax certificates and the required fiscal arrangements.

AYE: Messrs. Milstead, Betts and Stewart. Mmes Ashworth and Mather

ABSTAIN: Mr. Hetherly

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

The Commission then

VOTED: To ACCEPT FOR FILING and DISAPPROVE the following final subdivision plats, pending required easements, required fiscal arrangements and compliance with departmental requirements.

- C8-72-66 Cinco
 South Lamar Boulevard and Cinco Street
- C8-72-121 Palomino Park, Section Four-A
 Rocking Horse Road
- C8-72-123 Cherry Creek, Phase III, Section III
 Boleynwood Drive and Aldford
- C8-72-126 Austin Highlands, Section Two (2)
 Austin Highland Boulevard and Emerald Forest Drive
- C8-72-127 Oak Forest, Section Four (4)
 Oak Knoll Drive and Branching Oak Drive

VOTED: To ACCEPT FOR FILING and DISAPPROVE the following final subdivision plats, pending required fiscal arrangements and compliance with departmental requirements.

- C8-69-45 Hillcrest Baptist Church Subdivision
 Steck Avenue and Greenslope Drive
- C8-72-98 Resubdivision of Block C, Mountain Shadows
 Mountain Shadows Drive
- C8-72-122 Cherry Creek, Phase III, Section II
 Campden Drive and Krollton Drive
- C8-72-124 Devonshire Park, Section Five (5)
 Lovell Drive and Windy Brook Drive

VOTED: To ACCEPT FOR FILING and DISAPPROVE the following final subdivision plats, pending compliance with departmental requirements.

- C8-69-11 Kingsbery Park, Section Two (2)
 Lockwood Springs Road and Trappers Terrace
- C814-71-03 Easement Plat for Great Hills A-PUD
 Great Hills Trail and Steck Avenue

Final Subdivision Plats -- Filed and Considered -- contd.

VOTED: To ACCEPT FOR FILING and DISAPPROVE the following final subdivision plats, pending compliance with departmental requirements and the required easements:

- C8-14-72-06 The Park at Fairview (PUD)
South Congress and Ramble Lane
- C814-72-06 Timberline
Wallingwood Drive

VOTED: To ACCEPT FOR FILING and DISAPPROVE the following final subdivision plat, pending required easements and required fiscal arrangements.

- C8-71-136 Kramer Lane Industrial Park
Kramer Lane and Proposed Loop

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes. Ashworth and Mather
 ABSENT: Messrs. Barrow, Bobbitt and Faulkner

SHORT FORM SUBDIVISIONS

Seven short form subdivisions have appeared before the Commission in the past and have now complied with all departmental requirements; the staff recommends that these be approved. The Commission then

VOTED: To APPROVE the following short form subdivision plats:

- C8s-72-103 Venture Oaks
West 38th Street
- C8s-72-140 Ivory Brantley Subdivision
Old Highway 183
- C8s-72-296 Lots 1 and 2, Mimosa Manor, Section 4
Mathews Lane and Manchaca Road
- C8s-72-298 Resubdivision of Lots 5 and 6, Block 2, Fredericksburg Road
Acres
South Lamar Boulevard
- C8s-72-305 The Gully and Bohls Subdivision
South Sixth Street
- C8s-72-309 Krebs Lane Addition
Krebs Lane and South Congress Avenue
- C8s-72-310 Webers Hill
Nuchols Crossing Road

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather
 ABSENT: Messrs. Barrow, Bobbitt and Faulkner

- C8s-72-62 Mesa Oaks Village
Mesa Drive off Spicewood Springs Road

The staff reported that there has been a request for a name change on this short form subdivision and recommended that the name change be granted to Mesa Plaza, Section I. The Commission then

VOTED: To APPROVE the name change of Mesa Oaks Village to Mesa Plaza, Section 1.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather
 ABSENT: Messrs. Barrow, Bobbitt and Faulkner

Short Form Subdivisions - contd.

Four short form subdivisions are appearing before the Commission for the first time, and requesting that a variance to exclude the balance of the tract be granted. These subdivisions have not met all the requirements and the recommendation is that they be accepted for filing and disapproved pending compliance with departmental requirements. The Commission then

VOTED: To ACCEPT FOR FILING and DISAPPROVE the following short form subdivisions pending compliance with departmental requirements and granting a variance to exclude the balance of the tract.

- C8s-72-328 Talbert Subdivision
South Fifth Street
- C8s-72-333 Northeast Center
Wheless Lane
- C8s-72-339 Bo's Subdivision
Knollwood Drive at Shadow Valley Drive
- C8s-72-340 Torino Subdivision
East 56th Street and Airport Boulevard

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C8s-72-329 Beebrush
Kenmore Court

This new short form subdivision is requesting a variance to exclude the balance of the tract and a variance on street width. It is the staff recommendation that this subdivision be accepted for filing and disapproved granting the variances as requested. The Commission then

VOTED: To ACCEPT FOR FILING and DISAPPROVE Beebrush subdivision granting variances on street width and excluding the balance of the tract, pending compliance with departmental requirements.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner

C8s-72-312 First Resubdivision of Lakeway, Section 9 and 13
Challenger and Bermuda

It is recommended that this short form subdivision be accepted for filing and disapproved pending a current tax certificate, compliance with departmental requirements, and being under the jurisdiction of L.C.R.A. The Commission then

VOTED: To ACCEPT FOR FILING and DISAPPROVE First Resubdivision of Lakeway, Section 9 and 13 pending current tax certificates and compliance with departmental requirements and acknowledging it to be under the jurisdiction of L.C.R.A.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSNET: Messrs. Barrow, Bobbitt and Faulkner

Short Form Subdivisions - contd.

Seventeen short form subdivisions are appearing before the Commission for the first time and have not met all departmental requirements. The staff recommends that these plats be accepted for filing and disapproved pending requirements. The Commission then

VOTED: To ACCEPT FOR FILING and DISAPPROVE the following short form subdivision plats, pending compliance with departmental requirements.

- C8s-72-313 Resub. Lot 1, Northcape, Section C-3
Middle Fiskville Road and Rundberg Lane
- C8s-72-315 Resub. Lots 8, 9, 10 and 11, Lamar Place
Lamar Boulevard and Lamar Place
- C8s-72-316 Symphony Square
Red River Street and Eleventh Street
- C8s-72-318 The Four Seasons, Fall Section, Block B and L, Amended
Braker Lane and June Drive
- C8s-72-320 Omega-Terrell-Lynch Subdivision
East 49th Street and I. H. 35
- C8s-72-321 Walnut Place, Section Five (5)
Springdale Road and Vara Drive
- C8s-72-322 Resubdivision Lot 6, 7, 8 and 9, Hyde Park #2
Avenue B
- C8s-72-324 The Flow Addition
County Road and State Highway #71
- C8s-72-325 Fourth Resub. Park at Quail Creek, Amended
Rutland Drive
- C8s-72-327 Resub. Block B, First Resub. Wooten Village 8
U. S. 183 and Ohlen Road
- C8s-72-330 Resub. Part of Lot 8, Camelot, Section 1
Green Oaks Drive and Castle Ridge Road
- C8s-72-331 Wisian and Schmidt Subdivision
Oltorf Street and Durwood Street
- C8s-72-332 Resubdivision Lot 2, Cooper Lane Addition
Cooper Lane
- C8s-72-334 Resub. Lots 17 and 18, Block H. Four Seasons Summer
August Drive
- C8s-72-335 Resub. 12 and 13, Block 2, St. John's Home Addition
Martin Avenue and Blackson Avenue
- C8s-72-336 Resub. of Lot 3-C Austin Mall
Middle Fiskville Road and Highland Mall
- C8s-72-337 S. R. Sheppard, Jr. Subdivision, Section One (1)
Wheless Lane and Bristol Drive

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather
 ABSENT: Messrs. Barrow, Bobbitt and Faulkner

Short Form Subdivisions -- contd.

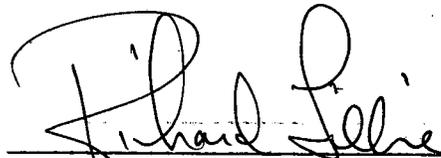
C8s-72-341 Heritage Hills West
 I. H. 35 and Rutherford Lane

The staff reported that this short form subdivision is appearing before the Commission for the first time and has not met all departmental requirements. The Department is requesting twenty feet of right-of-way on Rutherford Lane and recommending that this subdivision be accepted for filing and disapproved pending compliance with departmental requirements. The Commission then

VOTED: To ACCEPT FOR FILING and DISAPPROVE the short form subdivision Heritage Hills West, requiring twenty feet of right-of-way on Rutherford Lane and pending compliance with departmental requirements.

AYE: Messrs. Milstead, Betts, Hetherly and Stewart. Mmes Ashworth and Mather

ABSENT: Messrs. Barrow, Bobbitt and Faulkner



Richard R. Lillie
Executive Secretary

